

# REICH, ADELL, CROST & CVITAN

A PROFESSIONAL LAW CORPORATION

3550 WILSHIRE BOULEVARD, SUITE 2000  
LOS ANGELES, CALIFORNIA 90010  
TEL (213) 386-3860 • FAX (213) 386-5583  
www.racclaw.com

HIRSCH ADELL  
PAUL CROST  
ALEXANDER B CVITAN  
MARIANNE REINHOLD  
J DAVID SACKMAN  
LAURENCE S ZAKSON

GEORGE A PAPPY  
OF COUNSEL

JULIUS MEL REICH  
(1933 - 2000)

MARSHA M HAMASAKI  
NEELAM CHANDNA  
CARLOS R PEREZ  
DEBRA S GOLDBERG  
PETER A HUTCHINSON  
ANDREW BIRNBAUM  
WILLIAM SHEH

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

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November 12, 2004

Jeff S. Jordan, Supervisory Attorney  
Kim C. Stevenson, Esq.  
Federal Election Committee  
Washington, D.C. 20463

Re: Committee to Elect Cynthia Matthews and Kinde Durkee,  
Its Treasurer  
MUR 5569

Dear Mr. Jordan and Ms. Stevenson:

This law firm is counsel to Kinde Durkee and Durkee and Associates LLC (collectively, Durkee). A designation of counsel form is attached. Ms. Matthews and the Committee are represented by separate counsel.

Durkee is the treasurer of Committee to Elect Cynthia Matthews. A declaration from Kinde Durkee explaining her lack of familiarity with virtually any of the facts related to your investigation.

Durkee believes that, once you have reviewed these materials, you will find it appropriate to close any investigative file as to Durkee. Meanwhile, if you have further questions or need to discuss this matter further, please give me a call.

Very truly yours,



Laurence S. Zakson  
of REICH, ADELL, CROST & CVITAN

LSZ/caw  
Enclosures  
cc: Kinde Durkee  
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1 LAURENCE S. ZAKSON (CSB 119435), Member of  
2 REICH, ADELL, CROST & CVITAN  
3 A Professional Law Corporation  
3550 Wilshire Boulevard, Suite 2000  
4 Los Angeles, California 90010  
Telephone: (213) 386-3860  
Facsimile: (213) 386-5583

5 Attorneys for Responding Party

6  
7  
8 Before the United States Government  
9 Federal Election Commission  
10

11 In Re: ] CASE NO. MUR 5569  
12 Committee To Elect ]  
13 Cynthia Matthews & Kinde ] DECLARATION OF KINDE DURKEE  
14 Durkee, Its Treasurer ]  
15 ]  
16 ]

17 I, Kinde Durkee, declare:  
18

19 1. [Identification]  
20

21 a. I am a professional treasurer retained by various  
22 political committees to assure their compliance with federal and  
23 state campaign finance laws. From March 16, 2004 to present, I  
24 have been the treasurer for the Committee to Elect Cynthia  
25 Matthews (Committee). As such, I drafted and filed reports with  
26 the Federal Election Commission on behalf of the Committee. All  
27 such work was performed either by me or, more usually, by an  
28 employee under my direct supervision.

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1       b. All of the facts set forth in this declaration are based  
2 on my own personal knowledge unless otherwise expressly noted.

3  
4       2. [KFI AM]  
5

6       a. At no time during my service as the Committee's treasurer  
7 has anyone identified to me as representing radio station KFI AM  
8 or the so-called "John and Ken Show" ever contacted me or, based  
9 on my investigation, anyone on my staff to inform me or us of  
10 efforts being made by KFI AM and/or its employees, including its  
11 employees on the "John and Ken Show," to assist the Matthews  
12 campaign or of any in-kind contribution to the Committee by KFI  
13 AM. Further, although, during this same period, I regularly spoke  
14 with candidate Cynthia Matthews, at no time has she or anyone  
15 associated with the Matthews campaign ever informed me of efforts  
16 being made by KFI AM and/or its employees, including its employees  
17 on the "John and Ken Show," to assist the campaign or of any in-  
18 kind contribution to the Committee by KFI AM.

19  
20       b. During my service as campaign treasurer, Ms. Matthews  
21 has regularly informed me and/or my staff, in the ordinary course  
22 of business, of contributions, including in-kind contributions,  
23 the Committee has received. Accordingly, it is my impression,  
24 from this experience, that I would have been informed had there  
25 been any intentional coordination between the Committee and KFI  
26 AM.

27       c. I have no recollection of Ms. Matthews ever informing me  
28 that the campaign or Ms. Matthews in any way coordinated an event

1 with KFI AM, including a so-called "political rally" on  
2 September 16, 2004. Because this is the type of unusual  
3 occurrence which I would recall if someone had told me about it, I  
4 believe that I never heard anything about such an event.

5  
6 3. [News Coverage] I have no recollection of Ms. Matthews  
7 ever informing me that the campaign or Ms. Matthews received news  
8 coverage because of the statements made on, or activities of, KFI  
9 AM, including the "John and Ken Show." I have no recollection of  
10 ever hearing or seeing any news coverage--on CNN or otherwise--of  
11 the campaign or Ms. Matthews because of the statements made on, or  
12 activities of, KFI AM, including the "John and Ken Show." Because  
13 I usually pay attention to and recall news coverage of my clients,  
14 I believe that I never encountered any such coverage.

15  
16 I declare under penalty of perjury under the laws of the  
17 United States of America that the foregoing is true and correct to  
18 the best of my knowledge and information, and that this  
19 declaration was executed this 11 day of November, 2004 in  
20 Burbank, CA.

21  
22   
23 Kinde Durkee  
24  
25  
26  
27  
28



FEDERAL ELECTION COMMISSION  
999 E Street, NW  
Washington, DC 20463

**Statement of Designation of Counsel  
(Respondent/Witness)**

Name of Counsel: Lawrence Zakson

Firm: Reich, Adell, Crost & Cvitan

3550 Wilshire Boulevard, Suite 2000, Los Angeles, CA 90010

Telephone: ( 213 ) 386-3860

Fax: ( 213 ) 386-5583

The above named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

11/3/04  
Date

  
Signature

Name (Print): Kinde Durkee

Address: 601 South Glenoaks Boulevard, Suite 208

Burbank, CA 91502

Telephone: Home ( ☐ )

Business ( 818 ) 260-0669

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

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